

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

RAMIRO FELIX GONZALES,
Plaintiff,

V.

BRYAN COLLIER, Executive Director
of the Texas Department of Criminal
Justice, BOBBY LUMPKIN, Director
of the Texas Department of Criminal
Justice—Correctional Institutions
Division, and DENNIS CROWLEY,
Warden of the Huntsville Unit,
Defendants.

CIVIL ACTION NO. 4:21-CV-00828

*Execution Date November 17, 2021

DEFENDANTS BRYAN COLLIER, BOBBY LUMPKIN, AND DENNIS CROWLEY'S
ADVISORY REGARDING CURRENT STATUS OF PLAINTIFF'S SPIRITUAL ADVISOR

Exhibit A

Affidavit of Assistant Warden Bobby Rigsby

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Plaintiff,

v.

BRYAN COLLIER, Executive Director
of the Texas Department of Criminal
Justice, BOBBY LUMPKIN, Director
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AFFIDAVIT OF BOBBY RIGSBY

State of Texas }
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Polk County }

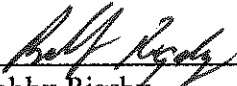
“My name is Bobby Rigsby. I am over eighteen years of age, of sound mind, capable of making this affidavit, and I have personal knowledge of the facts stated herein. I am employed by the Texas Department of Criminal Justice, and I am currently an Assistant Warden at the Polunsky Unit, and I serve as the Death Row Assistant Warden.

On May 9, 2021, Ms. Bri-Anne Swan sent a fax to TDCJ Polunsky Unit staff providing a copy of her Canadian passport and stating that she was currently under a “stay-at-home” order in Toronto, Canada. At that time, Ms. Swan had not provided any religious credentials pursuant to the Execution Procedure. Ms. Swan’s communication about being under a “stay-at-home” order appears to have been interpreted by Marla Demarest, secretary for the Polunsky Unit Warden, to mean that Ms. Swan would be unable to travel from Canada to the United States.

I was on leave last week and not present at the Polunsky Unit from July 14 through July 18, 2021. I was, therefore, not available to discuss or answer questions about Ms. Swan’s communications until this week.

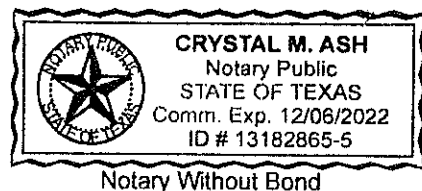
During my conversations with Ms. Swan, she has expressed her intent and availability to attend inmate Ramiro Felix Gonzales's execution. On May 17, 2021, Ms. Swan sent a letter from her church to serve as her credential to seek approval to attend inmate Gonzales's execution. Ms. Swan's credentials were then forwarded to Senior Warden Dickerson."

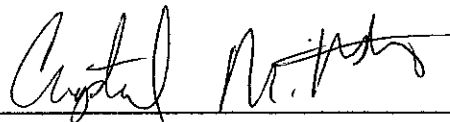
Further affiant sayeth not.



Bobby Rigsby
Assistant Warden—Polunsky Unit,
Texas Department of Criminal Justice

SWORN AND SUBSCRIBED before me by Bobby Rigsby on this the 22nd day of July, 2021, to certify which witness my hand and seal of office.





Notary Public, State of Texas